

REMARKS

Claim 1 is amended to further distinguish our invention over the references cited.

The rejection of claim 1 under 35 U.S.C. 103(a) as being unpatentable over King (USPN 6,309,248) in view of Cooper et al. (USPN 4,237,435) is traversed.

Claim 1 now recites the structure of “a reset portion...connected to a lever which is operated by the insertion of a user plug which initiates a mechanical trip of said device each time said plug is removed” in combination with the reset portion which reestablishes electrical continuity in the phase and neutral conductive paths “ subsequent to the removal of a plug from said device if not prevented from doing so by said reset lockout” (underscoring added for emphases).

Neither King nor Cooper, separately or combined disclose or teach doing what we disclose and now claim as our invention.

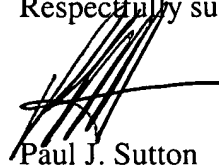
Applicant respectfully submits that the application is in condition for allowance and respectfully requests early and favorable action by the Examiner. If the Examiner believes that additional issues may be resolved by a telephone interview, the Examiner is respectfully urged to telephone the undersigned attorney.

The commissioner is hereby authorized to charge any additional fees which may be required for the amendment, or credit any overpayment to Deposit Account No. 12-1185 to Leviton Manufacturing Co., Inc.

In the event that an extension of time is required to make this Amendment timely filed, the Commissioner is requested to grant a petition for the extension of time which is required to make this response timely and is hereby authorized to charge any fee

for such an extension of time or credit any overpayment for an extension of time to
Deposit Account No. 12-1185 of Leviton Manufacturing Co., Inc.

Respectfully submitted,

A handwritten signature in black ink, consisting of several overlapping, slanted strokes that form the name Paul J. Sutton.

Paul J. Sutton
Reg. No. 24,201

Greenberg Traurig, LLP
885 Third Avenue
New York, New York 10022
(212) 801-2108

Date: July 13, 2004